



Approved for use through 10/31/2002. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number Application Number 09/732,545 TRANSMITTAL Filing Date 12/18/2000 **FORM First Named Inventor** Dennis A. Barney ET AL. (to be used for all correspondence after initial filing) Group Art Unit 2863 **Examiner Name** Demetrius R. Pretlow Total Number of Pages in This Submission Attorney Docket Number 00-216 **ENCLOSURES** (check all that apply) Assignment Papers (for an Application) After Allowance Communication X Fee Transmittal Form to Group X Appeal Communication to Board Fee Attached Drawing(s) of Appeals and Interferences Licensing-related Papers Appeal Communication to Group Amendment / Reply Х (Appeal Notice, Brief, Reply Brief) Petition After Final Proprietary Information Petition to Convert to a Affidavits/declaration(s) Provisional Application Status Letter Power of Attorney, Revocation Change of Correspondence Address Other Enclosure(s) (please Extension of Time Request identify below): Terminal Disclaimer Express Abandonment Request Request for Refund Information Disclosure Statement LECHROLOGY CENTER CD, Number of CD(s) Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Kelsey L. Milman, Registration No. 42,895 Individual name Signature July 21, 2003 Date **CERTIFICATE OF MAILING** I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope address to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on this date: 07/21/2003 Typed or printed name Kelsey L. Milman

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Date

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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Complet if Known **FEE TRANSMITTAL Application Number** 09/732,545 Filing Date for FY 2003 12/18/2000 First Named Inventor Dennis A. Barney ET AL. Effective 01/01/2003. Patent fees are subject to annual revision. **Examiner Name** Demetrius R. Pretlow Applicant claims small entity status. See 37 CFR 1.27 Art Unit 2863 TOTAL AMOUNT OF PAYMENT (\$) 320 00

TOTAL AMOUNT OF PAYMENT (\$) 320.00			<u></u>	Attorne	y Dock	et No.	00-216			
METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)						
Check Credit Card Money Other None				3. ADDITIONAL FEES						
X Deposit Account				Large	Entity	Small	Entity			
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	03-1129				1051	130	2051	65	Surcharge - late filing fee or oath	100 1 0.0
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Deposit Account					1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
Name L					1053	130	1053	130	Non-English specification	- 1
The Commissioner is authorized to: (check all that apply)				1812	2,520	1812	2,520			
<u> </u>	ge fee(s) indicated below X Credit any overpayments			1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		
Charge any	Charge any additional fee(s) during the pendency of this application			1805	1,840*	1805	1,840*	Requesting publication of SIR after		
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to the above-identified deposit account.				1251	110 410	2251	205	Extension for reply within first month		
FEE CALCULATION				1252	930	2252	465	Extension for reply within second month Extension for reply within third month	·	
1. BASIC F					1254	1,450	2254	725	Extension for reply within fourth month	
Large Entity Fee Fee	Small Entity Fee Fee	g Fee Descri	iption	Fee Paid	1255	1,970	2255	985	Extension for reply within fifth month	
Code (\$)	Code (\$)				1401	320	2401		Notice of Appeal	320.00
1001 750	2001 375	Utility filing			1402	320	2402	160	Filing a brief in support of an appeal	320.00
1002 330	2002 165	Design filin	•	\vdash	1403	280	2403	140	Request for oral hearing	<u> </u>
1003 520 1004 750	2003 260 2004 375	Plant filing Reissue fili			1451	1,510	1451		·	
1004 750	2004 373	Provisional	•		1452	110	2452		Petition to revive - unavoidable -	
				0	1453	1,300	2453	650	Petition to revive - unintentional	
SUBTOTAL (1) (\$) 0 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE				1501	1,300	2501	650	Petition to revive - unintentional Utility issue fee (or reissue) Design issue fee	77	
Z. EXTRA C	JLAIM FEE		Fee fron	n	1502	470	2502	235	Design issue fee	
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Total Claims	-20**			▋▝▃▃▃▋	1460	130	1460	130	Petitions to the Commisioner	
Independent Claims	- 3** =	·,	`	_] =[]	1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	\mathbb{R}^{\times}
Multiple Depend] =[]	1806	180	1806	180	Submission of Information Disclosure Stimt	3 1
Large Entity Fee Fee Code (\$)	Small Entity Fee Fee Code (\$)	Fee Descri	iption		8021	40	8021	70	Recording each patent assignment per property (times number of properties)	
1202 18	2002 9	Claims in ex	cess of 20		1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1201 84 1203 280	2001 42 2203 140	Independent			1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1203 280	2203 140	Multiple depo		·	1801	750	2801	375	Request for Continued Examination (RCE)	
1205 18	2205 9	over origina	**Reissue independent claims over original patent ** Reissue claims in excess of 20			900	1802	900	Request for expedited examination of a design application	
and over original patent				Other	,					
SUBTOTAL (2) (\$)					Other fee (specify) *Reduced by Basic Filing Fee Paid					
**or number previously paid, if greater; For Reissues, see above								SUBTOTAL (3) (\$)	320	

SUBMITTED BY		(Complete (if applicable))					
Name (Print/Type)	Kelsey L. Milman	Registration No. (Attorney/Agent)	42,895	Telephone	(309) 675-1673		
Signature	peper 1 mil			Date	07/21/2003		

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be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to provess) an application. Confidentiality is governed by 37 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	#	8/ Notice 35
Dennis A. Barney, et al.) Art Unit:	2863	Anoce
Application No.: 09/732,545) Examiner:	Demetrius R. Pre	tlow 36
Filed: December 18, 2000) Paper No.:	8	
For: A METHOD AND APPARATUS OF MANAGING TIME FOR A PROCESSING SYSTEM)))	10 mm	RECEIV JUL 31
Attorney Docket No.: 00-216)) _)		VED 1 2003
	Peoria, Illi July 21, 20	nois 61629-6490 103	R 2800

Mail Stop AF Assistant Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Pursuant to 37 C.F.R. §1.191, Applicant hereby appeals to the Board of Patent Appeals and Interferences the Examiner's final rejection of claims 1-38 of this application.

Please charge the \$320.00 fee under 37 C.F.R. 1.17(b) and any other required fees to Deposit Account No. 03-1129. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Kelsey L. Milman

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Caterpillar Inc.

Telephone: 309/675-1673 Facsimile: 309/675-1236

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